

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT SEATTLE

11 UNITED STATES OF AMERICA,

CASE NO. 22-CR-00105-LK

12 Plaintiff,

ORDER CONTINUING TRIAL

v.

13 DANNI WALKER,

14 Defendant.

15
16 This matter comes before the Court on Defendant Danni Walker's Stipulated Motion to
17 Continue Trial and Pretrial Motions Dates, Dkt. No. 28,¹ as well as her Speedy Trial Waiver, Dkt.
18 No. 29. On July 27, 2022, a federal grand jury indicted Ms. Walker on six counts of wire fraud
19 related to her submission of allegedly false and misleading Paycheck Protection Program loan
20 applications, a source of financial assistance provided by the Government through the Coronavirus
21 Aid, Relief, and Economic Security ("CARES") Act. *See generally* Dkt. No. 1. The case involves
22 "at least eight allegedly fraudulent loan applications related to the Paycheck Protection Program."

23
24 ¹ Although defense counsel captions Ms. Walker's motion as a stipulation, it is not signed by the Government's
attorney and therefore is not a proper "stipulation." *See* Dkt. No. 28 at 3. The Court treats the motion as unopposed.

1 Dkt. No. 28 at 2. Ms. Walker pleaded not guilty to all counts. Dkt. No. 7. Although her jury trial
2 was originally slated to begin on September 26, 2022, *id.*, the Court previously granted two
3 unopposed motions to continue trial. *See* Dkt. Nos. 12, 14, 21, 23. Ms. Walker's trial is currently
4 scheduled for August 14, 2023. Dkt. No. 23 at 2.

5 Defense counsel now seeks a third continuance, this time to September 18, 2023, "to allow
6 sufficient time to conduct investigations, conduct legal research, review the discovery with Ms.
7 Walker, prepare for pretrial motions, and prepare for trial." Dkt. No. 28 at 1–2. Although counsel
8 is "diligently analyzing th[e] discovery and conducting additional investigation," that discovery
9 "is voluminous" and demands "a significant amount of time to read, analyze, and review with Ms.
10 Walker." *Id.* at 2. Defense counsel further asserts that he is "out of the office on leave for the month
11 of July, returning on July 31, 2023, just two weeks before the current trial date." *Id.* Given this
12 leave, the defense team needs more time "to adequately prepare in the weeks leading up to the trial
13 date." *Id.* Ms. Walker avers that she understands her rights under the Sixth Amendment and Speedy
14 Trial Act, 18 U.S.C. § 3161, and knowingly, voluntarily, and with the advice of counsel waives
15 her right to a speedy trial and consents to a continuation of trial to a date up to and including
16 October 9, 2023. Dkt. No. 29 at 1.

17 Pursuant to 18 U.S.C. § 3161(h)(7)(A), the Court finds that the ends of justice served by
18 granting a continuance outweigh the best interest of the public and Ms. Walker in any speedier
19 trial. Specifically, the Court finds that failure to grant the requested continuance would likely result
20 in a miscarriage of justice and would deny defense counsel the reasonable time necessary for
21 effective preparation, taking into account the exercise of due diligence, due to counsel's need for
22 more time to review the evidence, consider possible defenses, and gather evidence material to the
23 defense. *See* 18 U.S.C. § 3161(h)(7)(B)(i), (iv). The Court also finds that the additional time
24

1 requested is a reasonable period of delay and will be necessary to provide counsel and Ms. Walker
2 reasonable time to accomplish these tasks and prepare for trial.

3 For these reasons, the Court GRANTS the motion and ORDERS that trial shall be
4 continued from August 14, 2023 to September 18, 2023. It is further ORDERED that, pursuant to
5 18 U.S.C. § 3161(h)(7)(A) and (B), the period of delay from the date of this Order to the new trial
6 date is EXCLUDED when computing the time within which Ms. Walker's trial must commence
7 under the Speedy Trial Act. Pretrial motions are due no later than August 7, 2023.

8 Dated this 5th day of July, 2023.

9 
10

11 Lauren King
12 United States District Judge
13
14
15
16
17
18
19
20
21
22
23
24